

REMARKS

Reconsideration of this application and reexamination of the claims in view of the amendments and comments herein are respectfully requested. By entry of this amendment claims 41-45 and 49-51 are cancelled, and claims 37 and 46 are amended. Claims 37-40 and 46-48 are pending. The amendments to the claims are fully supported by the application as filed and do not add new matter.

The Office rejected claims 37-48 under 35 U.S.C. § 112, first paragraph, for an alleged lack of enablement. (Office Action at pages 2-6.) In particular, the Office contends that the application does not enable making a disruption of the endogenous α -TTP gene to lower the levels of expression of α -TTP to any level other than null. (Office Action at page 4.)

In response, Applicants note that this rejection is moot as to claims 41-45 because these claims have been cancelled. Independent claim 37 has been amended to recite "wherein α -TTP is not expressed and the transgenic mouse does not exhibit detectable plasma levels of α -tocopherol." Independent claim 46 has been amended to recite "wherein α -TTP is not expressed from the disrupted α -TTP allele." Applicants submit that the amended claims are fully enabled and respectfully request withdrawal of this rejection.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 37-40 and 46-48 in condition for allowance. Applicants submit that the proposed amendments of claims 37 and 46 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner. Therefore, this Amendment should allow for immediate action by the Examiner.

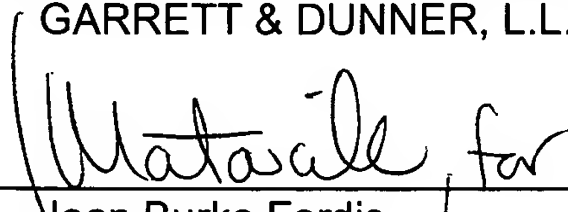
Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 28, 2005

By:

A handwritten signature in dark ink, appearing to read "Matacile, for", written over a horizontal line.

Jean Burke Fordis
Reg. No. 32,984

Reg. No. 53,283